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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/872,687 | 05/31/2001 | Hernan G. Otero | 21710-68172 | 3804 |

28062 7590 09/23/2005

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EXAMINER

HAVAN, THU THAO

| | |
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| ART UNIT | PAPER NUMBER |
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3624

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,687

Applicant(s)

OTERO ET AL.

Examiner

Thu Thao Havan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,6,11,12,14 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,11,12,14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/12/02; 12/3/01/
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Detailed Action

Response to Amendment

Claims 1, 5-6, 11-12, 14, and 16-24 are pending. This action is in response to the RCE received July 14, 2005.

Response to Arguments

Applicant's arguments with respect to claims 1, 5-6, 11-12, 14, and 16-24 have been considered but are moot in view of the new ground(s) of rejection.

Drawings

The Examiner accepts the drawings filed on May 31, 2001.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **1, 5-6, 11-12, 14, and 16-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Magill et al. (US 2004/0143542) in view of Kane (US 6,317,728).

Re claims **1, 12, and 14**, Magill teaches an apparatus for a computerized trading system comprising (para. 0003 and 0018; figs. 1 and 7):

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an algorithm for implementing a trading strategy (para. 0085);

an interface comprising a first sub-interface and a second sub-interface, wherein (para. 0057);

said first sub-interface allows a user to modify said algorithm by changing a mapping between an event and an action (para. 0056);

said second sub-interface allows the user to review details of orders executed (para. 0053); and

said interface allows the user to navigate among said first and second sub-interfaces (para. 0060). *In other words, Magill discloses interactive electronic open order book for securities transaction. His interactive system consists of a graphical user interface (GUI) that enables a user to modify, review, or navigate the securities transaction. In particular, Magill discloses the GUI allows individual users to customize (i.e. modify) their color scheme to designate their outstanding orders on the system. In that, the GUI allows Subscribers to access the system, view system information, submit messages for processing by the system, and request information on messages being processed by the system.*

However, Magill does not explicitly teach a logic engine. On the other hand, Kane discloses a logic engine (col. 2, line 51 to col. 3, line 58). Kane discloses decision logic system that corresponds to a logic engine as claimed. He discloses a decision logic including a repository for storing a plurality of buy/sell rules for buying and selling securities in response to the buy/sell data. In that, the decision logic systems having a plurality of agents. In addition, he discloses a processing logic having inputs respectively communicating with the data acquisition system and with the clock for assigning respective

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clock times to the buy/sell data. Thus, it would have been obvious to one of ordinary skill in the art to implement a decision logic system as a logic engine in relation to securities trading system as discloses in Kane.

Re claims **5-6** and **16**, Magill teaches first sub-interface comprises a graphical user interface (para. 0056).

Re claims **11**, **19**, and **22**, Magill teaches a third sub-interface which allows the user to monitor operation of a server computer that executes the logic engine and said interface allows the user to navigate among said first, second and third sub-interfaces (para. 0060; 0150). *Magill discloses GUI permitting a user to interactive browsing the Internet thus is a method of navigating.*

Re claims **17**, **20**, and **23**, Kane teaches trading strategy is selected from the group consisting of: (a) a Volume-Weighted-Average-Price strategy; (b) a Ratio strategy; (c) a Gamma Hedge strategy; (d) a Iceberg strategy; and (e) a CB Delta Hedge strategy (col. 7, lines 1-41; figs. 1-20). *In figures 19-20, Kane discloses price ratio.*

Re claims **18**, **21**, and **24**, Magill teaches first sub-interface includes an event editor interface, a condition editor interface and an action editor interface (para. 0053-0060).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zajac et al, US 2003/0041000, teaches graphical user interface for multi-interface financial transaction;

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Ram et al, US 2003/0004853, teaches graphical front end system fro security trading;

Wallman, US patent no. 6,801,199 teaches graphical user interface in relation to risk tolerance; and

Honarvar et al, US 6,405,173, is directed to decision management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
9/16/2005



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